

**June 11, 2014**

**Present**

Commissioners Joanne Clark, Ann Borders, Joyce Harrod, and Commissioners' elect Roy Myers and Jaime Windon, County Clerk Mary Anne Shortall, Town Manager Jean Weisman, Zoning Officer Deborah Renshaw, Administrative Clerk Suzanna Warnick, and 48 members of the public.

**Call to Order**

Vice President Clark called to order the public working session of the Commissioners of St. Michaels at 5:00 p.m., in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, 300 Mill Street, St. Michaels, Maryland, and the Pledge of Allegiance was recited. Vice President Clark said she would preside over the meeting until the Election of Officers, which would follow the Oath of Office, administered by Clerk of the Circuit Court of Talbot County to the newly elected Commissioners, Roy B. Myers and Jaime Windon.

**Oath of Office – Mary Anne Shortall, Clerk of the Circuit Court, Talbot County**

Mrs. Shortall then administered the Oath of Office to Commissioners-elect Jaime Windon and Roy Myers.

**Election of Officers**

Vice Chairman Clark called for nominations for President of the Commission. Commissioner Borders nominated Joanne Clark. Commissioner Myers seconded it, and the nomination carried on a roll call vote of 5-0 in favor.

President Clark called for nominations for Vice President and nominated Commissioner Borders. Commissioner Myers seconded it and the nomination carried on a roll call vote of 5-0 in favor.

President Clark then called for nominations for Treasurer. Commissioner Borders nominated Commissioner Myers for Treasurer. Commissioner Clark seconded it and the nomination carried on a roll call vote of 5-0.

**Announcements from COSM, Staff, Public**

President Clark said she was pleased to welcome Kimberly Weller as the Town's new Communications Manager. President Clark noted that the State Highway was continuing with repairs to a storm water drain at the corner of Talbot and Marengo Street. President Clark said that Phase V of the street repair project was continuing on schedule as curbs are being poured in the 200 block of E Chew, with grading and paving of the base course to follow. President Clark continued that milling in the 100 block of E Chew will begin shortly. President Clark said that the State Ethics Commission would be considering the Town of St. Michaels' exemption status at its meeting on June 26, 2014, and the Town could appear to present information. President Clark said that Commissioners Borders, Clark and Harrod had attended the farewell dinner for Rev. Johnson which was held at Harrison's Chesapeake House in Tilghman on June 10<sup>th</sup>. Commissioner Harrod added that the dinner was well attended and that Rev. Johnson's replacement would be Reverend Dr. Waller.

**Public Hearing – Ordinance No. 447 – Critical Area Maps**

President Clark opened the Public Hearing on Ordinance No. 447 and announced that Ordinance No. 447 was introduced by Commissioners Myers, Borders and Harrod at the Commissioners' meeting of May 14, 2014. President asks Mrs. Warnick for the sign-in sheets. There were no signatures. Mrs. Warnick then read the title of the Ordinance and the list of exhibits into the record as follows:

ORDINANCE NO. 447: AN ORDINANCE TO AMEND THE TOWN OF ST. MICHAELS CRITICAL AREA MAP TO REFLECT MAPPING EFFORTS REQUIRED BY HOUSE BILL 1253. THE PROPOSED MAP REFLECTS NEW STATE DETERMINED SHORELINE AND LANDWARD BOUNDARIES OF TIDAL WETLANDS AND THE DELINEATION OF THE 1,000-FOOT CRITICAL AREA BOUNDARY BASED ON CURRENT AERIAL IMAGERY AND PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY; AND GENERALLY RELATING TO CRITICAL AREA LAND CLASSIFICATIONS

Exhibits

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| Exhibit 1 | Draft Ordinance No. 447 dated June 11, 2014  |
| Exhibit 2 | Copy of Public Notice of Public Hearing on June 11, 2014, which was posted on the Town bulletin board, the Post Office bulletin board, on the Town's website, and published in the <i>Star Democrat</i> on May 21 and June 5, 2014 |
| Exhibit 3 | Affidavit of publication in the <i>Star Democrat</i> of the Notice of Public Hearing   |

President Clark called upon Zoning Officer Debbie Renshaw, who provided an overview of the ordinance noting that the map changes and the ordinance were required by the State. As there were no additional questions or comments from the Commissioners or the public, President Clark said that the ordinance would be eligible for vote at the next legislative session on June 25, 2014.

**Consent Agenda**

President Clark said that approval of the consent agenda would include approval of reports for month of May, 2014, and approval of a special permit for the St. Michaels Museum to hold a 4<sup>th</sup> of July Celebration and Parade at St. Mary's Square. President Clark noted that disbursements for May 2014 totaled \$ 307,444.61, and included the following expenditures: \$57,803.00 to Dissen and Juhn, contractors, for N Harbor Rd Bulkhead and Ramp replacement; \$74,353.00 to Sherwood Logan, for Water Maintenance Contract; and \$4,000 to Talbot County for Bay Hundred Pool FY14 donation. President Clark asked if the Commissioners wanted to remove any item from the consent agenda for discussion on the regular agenda. There were no requests. Commissioner Borders asked whether the parade would require a road closure. Mrs. Weisman said the parade would only be about 15 minutes on Talbot Street, beginning and ending on St. Mary's Square. Mrs. Weisman also responded to a question regarding legal fees. As there were no additional comments from the public, President Clark then called for a motion to approve the items on the consent agenda as presented. Commissioner Harrod made the motion, which was seconded by Commissioner Myers and which passed on a roll call vote of 5-0 in favor.

**Ordinance for Discussion and possible Introduction**

- Ordinance No. 446 – Structures

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF ST. MICHAELS, CHAPTER 340 ARTICLE XV (DEFINITIONS), OF THE CODE OF THE TOWN OF ST. MICHAELS BY REPEALING AND REENACTING THE DEFINITION OF STRUCTURE; AND GENERALLY RELATING TO STRUCTURES IN THE TOWN OF ST. MICHAELS

President Clark noted that the Historic District Commission had reviewed the ordinance to determine that the definition of structures was a consistent definition throughout the Town's Code. President Clark asked if there were any comments from the public. Mrs. Renshaw provided a brief history of the ordinance in response to a question. Commissioner Clark then called for introduction of the ordinance.

Commissioners Harrod, Borders and Myers introduced Ordinance No. 446. President Clark said that a public hearing would be held on June 25, 2014 and the ordinance would be eligible for a vote at the Commissioners' July 23<sup>rd</sup> legislative session.

### **Items for Discussion**

- Letter of Agreement for Easement Buffer at the site of the Classic Motor Museum

President Clark called upon Jean Weisman, who explained the agreement would allow the easement to be used for fencing and landscaping for the project. Commissioner Windon recused herself from the discussion, citing potential conflict of interest, and left the room. The Commissioners reviewed the draft Letter of Agreement prepared by staff, and considered adding a provision for responsibility in the event utilities were in the right of way and needed to be accessed. The Commissioners then took public comment. As there were no additional comments, President Clark called for a motion. Commissioner Borders made a motion to accept the Letter of Agreement for Easement Buffer as written. Commissioner Myers seconded it, and the motion passed on a roll call vote of 4-0 in favor.

- Noise Exemptions

President Clark announced that the Commissioners would discuss the noise issue and then take public comment. She then called upon Mrs. Weisman, who outlined changes to the draft legislation requested by the Commissioners in their last discussion. Mrs. Weisman also noted that the decibel levels for noise in St. Michaels were 65 for daytime and 55 at night for the residential zone, and 67 for daytime and 62 at night for the commercial zone. Mrs. Weisman said that staff had researched decibel levels in surrounding towns, and St. Michaels' allowable levels were in the same range. Chief Anthony Smith provided additional information on decibel levels, and the discussion continued. The Commissioners then took extensive public comments and suggestions. Some speakers suggested that the number of exemptions have no cap to allow for expanded events, that noise levels should be realistic and enforced, and that contracted work should have hours posted. Following extensive public comment, President Clark said the Commissioners would consider all suggestions and directed staff to provide a new draft for a future agenda.

- Special Permits

President Clark called upon Debbie Renshaw, who said the Commissioners before them draft legislation that would set out the guidelines for special event permits and that all Town functions would require a permit. Mrs. Renshaw said the permit application would provide information on whether alcohol, music, venue locations, insurance, hours of operation, and traffic and parking plans for events expecting more than 250 cars. Chief Smith said that pre- and post-event meetings had been helpful in ensuring events run smoothly. After some additional discussion, the Commissioners then took public comment. Aida Khalil-Trissell of Cherry Street said she thought requiring permit for every event would require greatly increased staff and Commissioner time and a paperwork burden on applicants. Dana Murden of Talbot Street said the permit requirements would place a burden on many small non-profits. Mrs. Stahlsmith of the Candleberry Shop said that a permit requirement for every large, small and impromptu event would discourage people from having them. Chris Agharabi of Talbot Street and Mr. Dann of Perry Cabin Drive urged the Commissioners to be careful about restricting events on private property.

### **Comments from the Public**

Mr. DuPont of Locust Street highlighted the accomplishments of the Commission over the past five years. Mr. Durbin of E. Chew Avenue wanted to restrict truck and bus traffic on E. Chew Avenue. Helen Van Fleet of E. Chew Avenue called for patience with the street work and the times when yard crews are rushing to get all their yards done before a storm and may have to work until sundown.

### **Commissioners' Calendar**

The Commissioners of St. Michaels  
June 11, 2014

The Commissioners scheduled agenda items for their meetings in June and July, 2014.

**Comments from the Commissioners**

There were no additional comments.

**Announcement of Future Meetings/Events**

June 25, 2014 – 5:00 – Town Office – COSM Regular Legislative Session

July 4, 2014 – Town Offices closed in observance of Independence Day

July 9, 2014 – 5:00 – Town Office – COSM Regular Work Session

**Adjournment**

The meeting was adjourned at 9:04 p.m.

Respectfully submitted,

Suzanna Warnick  
Administrative Clerk

**Public Handouts:**

Agenda

Ordinance No. 446 – Structures

Letter of Agreement regarding Classic Motor Museum

Ordinance No. 447 – Critical Area Maps

Department Reports

Special Permits

Noise Exemption material